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LB 729

to Senator Landis, if he were here today, and to the body for not bringing these matters up sooner. It just happens to be one of those bills I was not able to take a look at until a very late point in time, but these matters I did want to bring to your attention and to allow some general discussion on it to see how the body felt about the various matters. To remind you, this is Senator Landis' bill, and it has to do with raising money to fund the Legal Aid and Services Fund, which is a fund that will be used to provide civil, not criminal but civil, legal services to eligible low-income persons. This is what we have known in former years as Legal Aid and was provided by the federal government to a large extent, and I want to say right off the bat that I have no objection with providing these services to the extent that it's being suggested and I do not wish to get in the way of that...of the development of that program. However, having said that, I think there are serious problems with both Section 1 and Section 2 of this bill, both of which provide funding mechanisms for the bill. The first funding mechanism in Section 1 is a fee on legal services. It's a \$2 fee, taxed as a cost, added on to the costs of cases in every juvenile court case and in every district court case and on a variety of county court cases except those described in the bill by category. So that \$2 fee attaches to all of those, or at least to most of those who use the court system, and my first problem with the bill is that in a philosophic sense I don't think that the right way to fund something like this is to tax those who use the court system to provide what is essentially a poverty program to provide legal services. It would be the equivalent of saying let's tax the grocery stores in order to provide a food stamp program, or let's tax a clothing store in order to provide clothing for impoverished families. I think the correct way to do this is with a General Fund appropriation. So that's the problem with Section 1 of the bill from my perspective. Section 2 of the bill is even more problematic in more specific ways, and I want to talk about one problem with it, and I think Senator Pederson, Senator Don Pederson has identified, and Senator Hillman, are interested in other aspects of the second funding mechanism, which is a \$15 fee on...for each proceeding to modify a degree of dissolution or annulment of marriage, a modification of an award of child support, or a modification of child custody or visitation. So every time somebody came in to court to try to get their visitation fixed